Lifestyle

Patagonia files trademark infringement lawsuit against drag performer: Pattie Gonia

Outdoor retailer accused Pattie Gonia's branding of 'confusing and deceiving consumers'

Inga Parkel in New York
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Outdoor clothing and gear retailer Patagonia is suing popular drag queen Pattie Gonia for trademark infringement, claiming that the play on its name, in addition to a similarity in branding, has caused "confusion and deception" among consumers.

In court documents filed Wednesday in California federal court, seen by *The Independent*, Patagonia claimed that Pattie Gonia's recent trademark application for the exclusive right to the brand PATTIE GONIA, which seeks to encompass their advocacy work, apparel, promoting public awareness of and motivational speaking services in support of environmental sustainability and LGBTQIA2S+ equality, and more, "compete directly with the products and advocacy upon which Patagonia built its PATAGONIA brand over the last fifty-three years."

"The trademark application reflects Pattie Gonia's departure from discrete use of a persona to engage in activism and confirms Defendants' intent instead to launch a wide-ranging commercial enterprise under the PATTIE GONIA brand," the filing reads.

The apparel brand claimed both parties had previously come to an agreement about how Pattie Gonia's "advocacy work might continue in a way that would not interfere with Patagonia's brand."

"Pattie Gonia has not honored the agreement, however, and now seeks exclusive ownership of a PATTIE GONIA trademark to commercialize products, endorsements, marketing campaigns, and advocacy," the filing states. "For all these reasons, Patagonia must protect its iconic trademarks, even when it supports or agrees with Pattie Gonia's views, message, or objectives."

Popular drag queen, Pattie Gonia, has been sued for trademark infringement by outdoor clothing company Patagonia (pattiegonia/Instagram)

Patagonia, the popular outdoor apparel and gear brand, was founded in 1973 (Getty Images)

Patagonia included pictures of Pattie Gonia promoting merchandise featuring their trademark, which the company argued "is nearly identical to the Patagonia word mark."

"Consumers are already confused about whether PATTIE GONIA is affiliated with Patagonia," Patagonia alleged, providing a screenshot of comments made on Pattie Gonia's social media posts. One read: "I genuinely thought this was a Patagonia ad for too long... or is it?"

"The PATTIE GONIA trademark and Pattie Gonia Products are likely to dilute Patagonia's famous and distinctive marks by diminishing their distinctiveness and singular association with Patagonia," the filing adds. "Patagonia has no alternative but to protect its goodwill and famous trademark by obtaining an injunction against Pattie Gonia's further use of the PATTIE GONIA trademark and related designs."

Patagonia is seeking a trial jury, along with "only nominal monetary damages" in the amount of $1, as it says: "The harm Pattie Gonia has caused and will cause to the PATAGONIA brand is irreparable and cannot be remedied by money damages or other remedies short of an injunction."

The Independent has reached out to Pattie Gonia for comment.

An original version of this article mischaracterized the lawsuit as a copyright lawsuit. It's actually a trademark infringement lawsuit. This article has been updated Saturday, January 24, to reflect the correction.

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